

8-15-03

\$1614



PHA 4301 (3167/12Z)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of John P. McKearn et al. Art Unit 1614  
Serial No. 09/843,132  
Filed April 25, 2001  
Confirmation No. 8349  
For ANTIANGIOGENIC COMINATION THERAPY FOR THE TREATMENT OF  
CANCER

August 14, 2003

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SIR:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, Applicants submit copies of the references listed on the attached PTO/SB/08A for consideration by the Patent and Trademark Office in the above-entitled application and to be made of record therein.

Please note that Applicants make no representation as to the accuracy or completeness of the translations of the abstracts submitted herewith.

In preparation of this Information Disclosure Statement, Applicants determined that approximately 583 references were cited in the application. In an effort to reduce the burden on the Office, each reference was briefly reviewed by an attorney. This review eliminated any reference that was determined to be irrelevant or merely cumulative. If the Office would like a copy of the eliminated references, they can be provided at the Office's request.

08/18/2003 MBLAND 00000010 09843132

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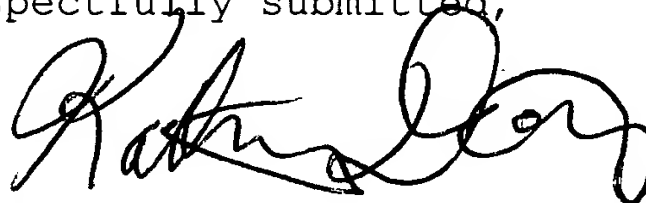
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A check in the amount of \$180.00 is enclosed to cover the fee specified in 37 CFR \$1.17(p) for submission of this Information Disclosure Statement. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

\* Also enclosed is Applicants' executed Power of Attorney.

Respectfully submitted,



Kathryn J. Doty, Reg. No. 40,593  
SENNIGER, POWERS, LEAVITT & ROEDEL  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

KJD/msc  
\*Enclosures

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**FEE TRANSMITTAL**

Application Number 09/843,132

Art Unit 1614

Filing Date April 25, 2001

Confirmation No. 8349

Inventor(s) John P. McKearn et al.

Attorney Docket Number PHA 4301(3167/12Z)

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**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
- \* 2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

**FEE CALCULATION**

1. ☐ BASIC FILING FEE Subtotal (1) \$ \_\_\_\_\_  
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2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ \_\_\_\_\_

Total Claims \_\_\_\_\_  
Independent Claims \_\_\_\_\_  
Multiple Dependent Claims \_\_\_\_\_

3. ☒ ADDITIONAL FEES Subtotal (3) \$ 180.00

- ☐ Surcharge - late filing fee or oath
- ☐ Surcharge - late provisional filing fee or cover sheet
- ☐ Extension for reply within \_\_\_\_\_ month
- ☐ Notice of Appeal
- ☐ Filing a Brief in Support of an appeal
- ☐ Request for ex parte Reexamination
- ☐ Petitions to the Commissioner
- ☒ Submission of Information Disclosure Statement
- ☐ Recording each patent assignment per property
- ☐ Request for Continued Examination
- ☐ Other: \_\_\_\_\_

**TOTAL AMOUNT OF PAYMENT** \$ 180.00

  
Kathryn J. Doty, Reg. No. 40,593

August 14, 2003  
Date

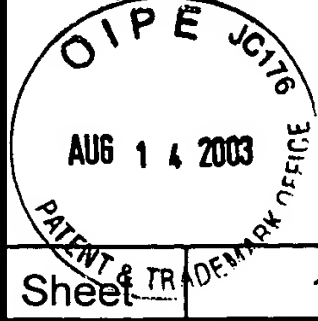
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PTO/SB/08A

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	09/843,132
Filing Date	April 25, 2001
Confirmation Number	8349
First Named Inventor	John P. McKearn et al.
Group Art Unit	1614
Examiner Name	Unknown
Attorney Docket No.	PHA 4301 (3167/12Z)

Sheet 1 of 3

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	1.	4,100,274		Dutta et al.	07-11-1978
	2.	4,140,707		Cleare et al.	02-20-1979
	3.	5,696,131		Baguley et al.	12-09-1997
	4.	5,733,909		Black et al.	03-31-1998
	5.	5,767,142		LaVoie et al.	06-16-1998
	6.	5,824,699		Kreft et al.	10-20-1998
	7.	5,869,524		Failli	02-09-1999

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office	Number <sup>4</sup>	Kind Code <sup>2</sup> (if known)			
	8.	EP	0 835 938	A2	Smithkline Beecham Corporation	04-15-1998	
	9.	WO	94/13635	A1	Merck Frosst Canada Inc.	06-23-1994	
	10.	WO	94/20480	A1	Merck Frosst Canada Inc.	09-15-1994	
	11.	WO	94/21612	A1	Otsuka Pharmaceutical Co., Ltd.	09-29-1994	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached..

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT



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Attorney Docket No.	PHA 4301 (3167/12Z)

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of

3

	12.	WO	94/25431	A1	The Welcome Foundation Limited	11-10-1994	
	13.	WO	94/26731	A1	Merck Frosst Canada Inc.	11-24-1994	
	14.	WO	94/27980	A1	G.D. Searle & Co.	12-08-1994	
	15.	WO	95/11883	A1	G.D. Searle & Co.	05-04-1995	
	16.	WO	95/15316	A1	G.D. Searle & Co.	06-08-1995	
	17.	WO	95/30652	A1	G.D. Searle & Co.	11-16-1995	
	18.	WO	95/30656	A1	G.D. Searle & Co.	11-16-1995	
	19.	WO	96/03387	A1	G.D. Searle & Co.	02-08-1996	
	20.	WO	96/03392	A1	G.D. Searle & Co.	02-08-1996	
	21.	WO	96/06840	A1	Merck Frosst Canada Inc.	03-07-1996	
	22.	WO	96/21667	A1	Merck Frosst Canada Inc.	07-18-1996	
	23.	WO	96/33988	A1	Wisconsin Alumni Research Foundation	10-31-1996	
	24.	WO	96/36612	A1	Rutgers, The State University of New Jersey	11-21-1996	
	25.	WO	96/36623	A1	Merck Frosst Canada Inc.	11-21-1996	
	26.	WO	96/37469	A1	Merck Frosst Canada Inc.	11-28-1996	
	27.	WO	97/15676	A2	Abbott Laboratories	05-01-1997	
	28.	WO	97/29106	A1	Rutgers, The State University of New Jersey	08-14-1997	
	29.	WO	97/34608	A1	Mayo Foundation for Medical Education and Research	09-25-1997	

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PTO/SB/08A				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	09/843,132
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				Group Art Unit	1614
				Examiner Name	Unknown
Sheet	3	of	3	Attorney Docket No.	PHA 4301 (3167/12Z)

	30.	WO	97/36863	A1	Merck Frosst Canada Inc.	10-09-1997	
	31.	WO	98/03484	A1	Merck Frosst Canada Inc.	01-29-1998	
	32.	WO	98/16227	A1	G.D. Searle & Co.	04-23-1998	
	33.	WO	98/22101	A2	G.D. Searle & Co.	05-28-1998	
	34.	WO	98/25896	A1	G.D. Searle & Co.	06-18-1998	
	35.	WO	98/40104	A2	Yale University et al.	09-17-1998	
	36.	WO	99/05104	A1	Pfizer Pharmaceuticals Inc.	02-04-1999	
	37.	WO	99/10331	A1	Abbott Laboratories	03-04-1999	
	38.	WO	99/12930	A1	Glaxo Group Limited	03-18-1999	
	39.	WO	99/14194	A1	Merck Frosst Canada Inc.	03-25-1999	
	40.	WO	99/14205	A1	Almirall Prodesfarma S.A.	03-25-1999	
	41.	WO	99/41241	A1	Rutgers, The State University of New Jersey	08-19-1999	

### OTHER ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	42.	International Search Report for Application No. PCT/US02/13219, dated January 13, 2003	
	43.	SUH, N., et al., Novel Triterpenoids Suppress Inducible Nitric Oxide Synthase (iNOS) and Inducible Cyclooxygenase (COX-2) in Mouse Macrophages <sup>1</sup> , Cancer Research, Feb. 15, 1998, pp. 717-723, Vol. 58	

Examiner Signature		Date Considered	
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